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PART-I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

SKILL DEVELOPMENT & INDUSTRIAL TRAINING DEPARTMENT

Notification

The 19th July, 2018

No. TA/1/1/Transfer Policy/SDIT/15138.— The Governor of Haryana is pleased to approve some amendments in the Transfer Policy of Skill Development & Industrial Training Department notified *vide* No. TA/1/1/Transfer Policy/SDIT/4315 dated 01.03.2018 in the official gazette. The amended policy is given as under:-

Transfer Policy (Amended as on 11.07.2018)

1. Objective :

- i. To deploy available staff in an optimum manner so that, inter-alia, employees are evenly distributed across regions and institutions, with special regard to the interest of trainees.
- ii. To maximize the overall satisfaction level of its employees, subject to protection of academic interests of trainees and the administrative efficiency of the Department.

2. Main Features :

- (i) All employees will be liable to be transferred and posted anywhere in the State, anytime, and for any period, as per requirements either of the public service or of the Department or both. Transfers and postings are a right of the Department which it would endeavor to exercise in the best academic interests of the trainees with due regard to the principles of equity and transparency vis-à-vis its employees.
- (ii) All transfers and postings will be made through online procedure on the basis of the choices given by the employees.

- (iii) The Transfer Policy will come into effect immediately but shall be implemented ‘online’ latest by 1st April, 2018.
- (iv) Transfer policy will be applicable to the teaching cadre as well as ministerial cadre, Group-IV posts of Industrial Training Institutes/Industrial Training Institutes (W) (including Principals, Group Instructors, Group Instructor Incharge (women), Group Instructor (women) for TTC, Instructors, Superintendents, Deputy Superintendents, Store Keepers, Assistants, Librarian Clerks, Peon-cum-Chowkidar and Workshop Attendant).
- iv(a) Initially, the policy will be applicable for posts having 500 or more cadre strength.
- (v) No TA/DA will be given if the transfer is done at the request of the employee himself or if he is being given a posting of his/her choice.
- (vi) Transfers will be done preferably in the month of July i.e. close of Academic Session. No mid-term transfers will be done except for reasons to be recorded on file.
- (vii) Normal tenure of an employee at any place of posting will be 5 years. However, an employee who has completed tenure of 3 years will be eligible to seek transfer against vacancy or on mutual transfer basis.
- vii(a) Any employee can apply for online transfer even though stay of employee is less than three (3) years at the present place of posting.
- (viii) Employees due for retirement within next one year will not normally be considered for transfer except due to administrative exigency or on their own request.
- (ix) Posting with an employee spouse (including Central Govt. Employee): as far as practicable, request for transfer to join an employee spouse, either at the same station or at nearby station will be considered. In the event of tie among the same category of employees spouses, lady employee will be given preference over male employee.
- (x) Transfers of Trade/Craft Instructors will be made keeping in view their qualification based on DGT, Govt. of India, affiliation instructions i.e. the ratio of degree/diploma holder instructors and ITI+CTI/TTC holder instructors, which presently is 50:50, to facilitate affiliation of trade units with NCVT.
 - x(a) If an employee, who is not a resident/domicile of Mewat district either at the time of initial appointment or subsequently, opts for ‘Mewat District’ against a vacancy for which no employee has opted or ;
if such employee opts for “anywhere in the State” and the department does his/her transfer to Mewat District, he/she will be paid additional 10% of the Basic Pay+D.A. during the said posting.
 - x(b) An NCC/NSS Training Instructor/G.I. will be transferred from NCC/NSS wing ITI only when there is another such trained officer in the institute or the replacement instructor/G.I. is also trained.

3. Time Schedule:

(i) Periodicity of the transfers

General transfers will be made only once in a year, as per time schedule given below or as notified by the Govt. for a specific year. However, transfers can be effected by the Govt. at any time during the year in cases of Administrative exigency, sudden death of spouse, chronic disease/permanent disability of spouse, transfer of spouse of employees of Departments/Organizations of Govt. of Haryana and on compassionate for the special categories like women, widows, widowers, differently abled persons, serious ailment. The reasons for transfers under these grounds will be recorded on file.

(ii) Time Line: The following time schedule will be followed for various activities every year except the first year in which online transfer policy is being implemented:

- (a) Decision about opening of new ITIs/ITI (W)s, diversification (addition/deletion) of trades/ redistribution/rationalization of instructional staff will be done from 10th April to 30th April every year. The transfer will be w.e.f. 1st August of the year.
- (b) Notification of actual vacancies and deemed vacancies will be done from 1st May to 31st May.
- (c) Eligible Instructors will submit their choice of Institutes online, from 1st June to 15th June every year.

- (d) Display of draft List and points for claims and objections by staff: 16th June to 30th June.
- (e) Transfer orders will be issued online latest by 15th July every year.

4. Criteria for deciding the claims against vacancies:

- (i) Decision of allotment to a vacancy will be based on the total score of points earned by the employee. The employee earning highest points will be entitled for transfer against a particular vacancy.
- (ii) Age will be the prime factor for deciding the claim of employee against a vacancy since it shall have weightage of 60 points (some employees as per policy retire at 60 years of age).
- (iii) To take care of categories like women, widows, widowers, differently abled persons, serious ailment and Instructors showing improvement in result, a privilege of maximum 20 points can be availed by these categories. The division of points will be as under:

(a) Age:

Sr.No.	Major aspect	Maximum Points	Calculation process
1.	Age(date of eligibility minus date of birth)	60	Age in number of days ÷ 365 (maximum four decimal points)

(b) Special Category:

Sr. No.	Major aspect	Sub Aspect	Max. Points	Calculation process
1.	Gender	Female	05	05 points will be given to female employees
2.	Special category female employees	Widows/Divorced/ Legally Separated/ Un-married female employees more than 40 years of age/wife of serving military personal/ paramilitary personal working outside the State	5	--
3.	Special category male employees	Widower (a male employee who has lost his wife and has not remarried) and has one or more minor children or unmarried daughters.	05	Eligible male widowers will be given 5 points only. In case of remarriage of self/children becoming major/daughter getting married, the employee will have to update his profile on the portal and will not be eligible for this advantage any more.
4.	Differently abled persons	Vision	20	40 % to 60% disability= 10 marks
		Locomotors	20	Above 60 to 80% = 15 marks
		Deaf and Dumb	20	Above 80% shall get 20 marks (maximum)

Sr. No.	Major aspect	Sub Aspect	Max. Points	Calculation process
5.	Diseases of debilitating disorders <u>List of Diseases :</u> 1. Chronic Heart disease and Chronic Artery diseases. 2. Chronic Renal Failure 3. Brain Tumours & Malignancy of different organs 4. Paraplegia/ Quadriplegia/ Hemiplegia 5. Multiple Sclerosis, Myasthenia Gravis, Parkinson's Diseases 6. Thalassemia, Haemophilia, Aplastic Anaemia, Myelodysplastic Disorders 7. AIDS 8. Liver and Kidney transplant	Self/ Spouse / un-married children	8 7	Certificate issued by AIIMS (including its branches in Haryana), PGI Chandigarh, and all Govt. Medical Colleges of Haryana. A certificate will be considered valid for 3 years only – after 3 years, new certificate will be required to be submitted.
6.	Differently abled or mentally challenged children	Employee having mentally challenged or differently abled child.	10	Certificate issued by AIIMS (including its branches in Haryana), PGI Chandigarh, and all Govt. Medical Colleges of Haryana.
7.	Well performing Instructors/ Group Instructors/ Vice Principals/ Principals. (not for ministerial staff)	Instructors giving good results (Average of last 3 sessions NCVT/ SCVT/NAC exams)	5	For results, following will be the criteria: 60% to 70% = 1 70% to 80% = 2 80% to 90% = 3 90% to 95% = 4 Above 95% = 5 State Topper : 5 National Topper : 5

Sr. No.	Major aspect	Sub Aspect	Max. Points	Calculation process
8.	Couple Case	Husband and Wife both are working (State/Central Govt./Public Sector)	05	This benefit will be given only in case preference is given for place of posting of spouse. If both the spouse apply for transfer to the place of posting of other spouse, transfer will be made in such a way that both spouse serve at a place where number of vacancies is higher.
9	Performance/ACR	Employee achieving excellent/very good grade in ACR	5	Excellent ACR = 5 Very Good ACR=2
10	Disciplinary proceedings	Employee charge sheeted under rule 7/8	-2	2 marks will be deducted for disciplinary proceedings under Rule 7 and one mark for proceedings under rule 8

* Maximum points which can be scored other than age, will be limited to 20 only

5. Vacant Posts

There will be two types of vacancies (i) Actual Vacancy (ii) Deemed Vacancy

- (i) Actual Vacancy: A post not occupied by any employee; post that will become vacant due to retirement, promotion, voluntary retirement or otherwise as on date of eligibility.
- (ii) Deemed vacancy: A post occupied by an employee for a period of five years or more on the qualifying date; or a post occupied by an employee for three years who has given option for transfer.
 - (a) Posts occupied by contractual employees shall not be considered vacant.
 - (b) Some vacancies of all categories of employees will remain unfilled at any given point of time. To avoid their concentration in some Institutes, percentage of such vacancies will be maintained proportionately, category wise, amongst all Institutes, which will be decided by the Government.

6. Transfer on administrative grounds

An employee can be transferred at any point of time after seeking prior orders of the Government on administrative grounds. However, specific administrative ground for which an employee is sought to be transferred shall be recorded in writing. Usually, an administrative ground for transfer of an employee will be of the nature as given below:-

- (a) If any specific written complaint is received through MPs/MLAs/Chairman MC/Chairman Zila Parishad/Principal of ITI then, in such cases, transfer would be implemented after preliminary enquiry. Poor results maybe a ground i.e. passing percentage less than 75% or whose teaching performance has been rated as poor.
- (b) Failure to comply with the directions issued by the Directorate regarding maintenance of record as per NCVT instructions or other important instructions from time to time.
- (c) Judicial/Departmental proceedings in cases of graft, corruption or official misdemeanor/misconduct.
- (d) Proven cases of misbehavior or misconduct

7. Procedure to be adopted:

- (i) With a view to transfer the instructional staff, the task of creating/shifting the sanctioned post (distribution of post)will be carried out before the general transfers.

- (ii) Institute wise vacancies will be assessed before carrying out the transfer exercise.
- (iii) Unmarried female employees will be given a chance to change options after their marriage, within two months, subject to the fulfillment of other conditions. Further, married female employees shall also have an opportunity to change their option in case of the death of husband or in case of Legal Divorce from husband. A Male employee shall also be given the opportunity to change his option in case of death of his wife.
- (iv) On fresh appointment and in case of promotion, the employees shall give five choices for preferred ITIs and the Department will try to accommodate them in order of merit/seniority. However, they will have to serve at the allocated stations for at least three years. For this purpose, they will have to submit an undertaking alongwith the request that they will not make any request for transfer if they are accommodated in one of the five preferred ITIs.
An option of ‘anywhere in the State’ may also be given while submitting the request for transfer.
- (v) Employees joining the Department on repatriation from UT Administration or other States or other Departments from the State Government, where they were on deputation, shall also be asked to give their option of Institutes as per the policy.
- (vi) Minimum stay for seeking transfer will be 3 years, except for persons with disabilities; however, person with disability may participate willingly. In administrative exigency, the Department will be at the liberty to post any employee at any place as per requirement.
- vi(a) In case of administrative exigency, an employee can be transferred at any point of time with the prior approval of the Chief Minister, Haryana
- (vii) On the basis of the re-distribution of sanctioned posts, the employees who are found surplus (without workload), shall compulsorily be shifted from their place of posting even if they have not completed their tenure of five years in the Institute.
- (viii) Transfer/Posting to the opted Institutes will not be claimed or treated as a matter of right.
- (ix) The option once availed and confirmed will be final and can be changed only under the provisions of the policy.

8. Mechanism to be adopted

- (i) Every employee will be responsible for the accuracy and regular updating of data on the portal in respect of his/her credentials. In case he/she notices any discrepancy, he/she will get it rectified by adopting due procedure after producing the relevant evidence before the competent authority. He/she will be responsible for updating of profile as and when any status is changed.
- (ii) All the options once exercised will be available for view to all concerned employees in their login.
- (iii) On fresh appointment and in case of promotion, the employee will be considered for appointment against vacancies not-occupied by any incumbent across the State. However, allocation will be made on the basis of their choice and in accordance with the score obtained by them.
- (iv) The transfer exercise will be carried out through online application software. However, 5% of the cases will be checked manually on random basis.

9. Post transfer exercise:

- (i) All Transfers will be implemented within fifteen days of their issuance. The copy of transfer orders will be sent to the Treasury Officer/DDO concerned with a request not to draw the salary of such transferred employees, after 15 days of the transfer date, from the institution he/she has been transferred.
- (ii) The employees transferred on administrative grounds will not be transferred back to same institute from where they were transferred out on administrative grounds.
- (iii) Aggrieved employees can represent to the competent authority within 15 days of issuance of orders, after joining at new place of posting. Their representation will be considered in accordance with the Policy and appropriate decision will be conveyed to him/her within 15 days.

10. Power for relaxation of guidelines

Notwithstanding anything contained in the policy, the Administrative Secretary, Industrial Training Department, Haryana with the prior approval of the Chief Minister, Haryana, will be competent to transfer any employee to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

11. Interpretation of guidelines

Administrative Secretary, Industrial Training Department, Haryana will be the competent authority to interpret above provisions and pass such order(s) as deemed appropriate and essential to facilitate the implementation of the policy for the purpose of effective control and administration of the Department as a whole.

12. Employees not to bring undue influence

Employees shall not bring in any influence. If such an influence from whichever source supporting the cause of employee is received, it will be presumed that the same has been brought in by the employee. The request of such an employee shall not be considered. Action may also be initiated against such an employee under relevant Service Rules/ Employees Conduct Rules including an entry to this effect in his/her service record.

13. Authorities competent to effect transfers:

All transfers of officials will only be made by the authority empowered to make transfer of the official as envisaged in transfer policy of State Govt. and subject to the directions issued by the Government from time to time.

14. Code of conduct:

All employees are expected to observe the Haryana Civil Services (Government Employees Conduct) Rules, 2016. Any deviation in this regard will be viewed seriously and disciplinary action as warranted under rules will be taken.

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